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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/332,459 | 06/14/1999 | JUSTIN B. MAGARAM | 1800 | 2958 |

7590 06/08/2004

Law Offices of Albert S Michalik, PLLC
704-228th Avenue NE
Ste 193
Sammamish, WA 98074

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| EXAMINER |
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NGUYEN, NGA B

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| ART UNIT | PAPER NUMBER |
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3628

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/332,459

Applicant(s)

MAGARAM ET AL.

Examiner

Nga B. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-29 and 31-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-29 and 31-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on March 8, 2004, which paper has been placed of record in the file.
2. Claims 1, 3-9, 11-29, and 31-37 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1, 3-9, 11-29, and 31-37 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-9, 11-29, and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al (hereinafter Maggioncalda), U.S. Patent No. 6,012,044.

Regarding to claim 1, Maggioncalda discloses a computer-readable medium having computer-executable instructions, comprising: receiving input of a value corresponding to a first field of a first object that maintains plan data; receiving additional input corresponding to a second field of a second object that maintains plan

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data; developing a plan by running a simulation on objects including the first and second objects; receiving input of a new value for the first field, and developing a new plan by running a simulation on objects that maintain the plan data, including the first and second objects, in which in the new plan, the new value changes the information in the second field (figures 4, 8, 9 and column 10, line 15-column 11, line 35). Maggioncalda does not disclose the second input that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the first field as a result of the hierarchical relationship. However, Maggioncalda allows the user to input different decision variables depend on the different implementation. Moreover, it is well known in the art to input an object that defines a hierarchical relationship with the other objects for running a simulation for a financial plan. For example, the retirement date based on the birth date, a date conditional on the amount, etc...Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Maggioncalda's to include the feature above for the purpose of allowing the user a flexibility to create and update the financial plan information for running a simulation on a financial plan.

Regarding to claims 3-8, Maggioncalda discloses the plan is a financial plan. Maggioncalda does not disclose the first field represents a date and the second field represents a date based on the first field; the first field represents an amount the second field represents a date conditional on the amount represented in the first field; the first field represents a rate and the second field represents a date conditional on the rate represented in the first field. However, such input fields are well known in the art of

developing a financial plan. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Maggioncalda's to include the feature above for the purpose of automatically running a simulation on a financial plan based on many different variable inputted from the user.

Regarding to claim 9, Maggioncalda discloses receiving input corresponding to an adjustment value related to the second field (column 10, lines 49-63)

Regarding to claim 11, Maggioncalda discloses associating a plurality of objects in a package object (column 10, lines 55-63).

Regarding to claims 12-14, Maggioncalda discloses disabling at least one plan element, enabling at least one plan element, and developing a plan by running a simulation includes arranging a list of plan elements that includes enabled elements and excludes disabled elements are (figure 4, item 410, Fund Advice feature allows the user to disable or enable the Fund Advise element).

Regarding to claim 15, Maggioncalda does not teach developing a plan by running a simulation includes removing expired elements from the list. However, removing expired elements from the list is well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of deleting all of the expired when running a new plan.

Regarding to claim 16, Maggioncalda further discloses receiving input information includes providing a user interface (figure 4).

Regarding to claims 17, 34, Maggioncalda does not teach input information includes synchronizing plan elements with data from another program includes synchronizing only the plan elements that have been previously identified for synchronization. However, importing data from another program is old and well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Bromley's for the purpose of providing more information the user needs to establish a plan.

Claims 18-20, 35, 36 contain similar limitations founds in claims 1, 12-14, 16, discussed above, therefore, are rejected by the same rationale.

Claims 21-23, 26, 27, 29, 31, 32 contain similar limitations founds in claims 1, 3, 4, 7, 8, 12-14, discussed above, therefore, are rejected by the same rationale.

Claims 24, 25, 28, 33, 37 contain similar limitations founds in claims 5, 6, 9, 17, 34, discussed above, therefore, are rejected by the same rationale.

Conclusion

6. Claims **1, 3-9, 11-29, and 31-37** are rejected.

7. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Jones et al. (US 6,021,397) disclose a financial advisory system.

Moran (US 6,430,542) discloses the financial planning and advice system allow an advisor to provide proactive, efficient serve to the clients.

Ferguson et al. (US 6,064,984) disclose a graphical user interface for a computer-implemented financial planning tool.

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Powers et al. (US 6,684,190) disclose a dynamic, user-friendly financial and illustration system for evaluating and re-balance risk for decision-making in financial planning.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 8:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

9. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks
c/o Technology Center 3600
Washington, D.C. 20231

or faxed to:

(703) 872-9326, (for formal communications intended for entry)

or:

(703) 308-3961 (for informal or draft communications, please
label "PROPOSED" or "DRAFT")

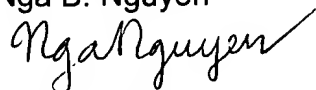
Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

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Nga B. Nguyen

A handwritten signature in cursive script that reads "Nga B. Nguyen".

May 28, 2004